

REMARKS

Claims 1-58 remain pending in the application. Claims 1-10, 18-33 and 41-46 are rejected as either being anticipated by or unpatentable over Van Halteren et al (US 5,757,947, hereinafter Van Halteren '947) or Van Halteren et al. (US 5,809,158, hereinafter Van Halteren '158) as set forth in the final Office action. Claims 11-17 and 34-40 are objected to as being dependent upon a rejected base claim, but are indicated to be allowable if rewritten in independent form. Claims 47-58 are allowed, with thanks.

Regarding the rejection of claims 1-10, 18-33 and 41-46 as being anticipated by or unpatentable over Van Halteren '947 or Van Halteren '158, the applicants respectfully traverse the rejection and request reconsideration.

By the applicant's previous response, claims 1, 18, 28 and 41 recite, among other things, the closed loop or elliptical-like spring provides motion in a first direction and motion in a second direction different from the first direction. For example, in the exemplary embodiments described in the application and in accordance with the claims set forth herein and that are at question the first direction and the second direction may be opposite such that movement of the joined armature in the first direction causes movement of the joined diaphragm in an opposite direction. The result is substantially balanced motion.

In contrast, each of Van Halteren '947 and Van Halteren '158 teach a connecting element 15, i.e., a strap, not a closed loop or elliptical spring. The connecting element 15 is formed with structure to allow it to be secured to the armature. For example, the strap may be formed with an aperture (19 of Van Halteren '947) or a "C" shaped portion (19a Van Halteren '158) that couples the strap to the armature. The strap then couples the armature and the diaphragm. The connecting element including the aperture 19/"C" shaped portion 19a and the coupled armature and diaphragm all move together in whatever direction they are driven to move. It is physically impossible with the arrangement of either of Van Halteren '947 or Van Halteren '158 for the diaphragm to move in a direction opposite that of the armature as a result of movement of the armature. That is, the connecting element 15, and in particular either the aperture 19 or the "C" shaped portion 19a, is entirely incapable of providing motion in a first direction and motion in a second direction, different than the first direction as required by the claims. The connecting element 15 is just that, a connecting

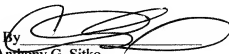
element that couples the armature and diaphragm such that they always move together in the same direction. As such, neither Van Halteren '947 nor Van Halteren '158 can anticipate or render obvious claims 1, 18, 28 or 41. These claims, as amended, are allowable as are the claims dependent thereon over Van Halteren '947 and/or Van Halteren '158.

If the examiner intends to maintain the rejection of claims 1-10, 18-33 and 41-46 as set forth in the final Office action, the applicants respectfully request the examiner point to the specific structure and teaching of each of the Van Halteren '947 and '158 references describing opposing motion being provided by the connecting element 15. This will allow the applicant to better respond to the examiner's rejection of the claims or to appeal the rejection of the claims. As it stands, however, the applicant fails to see how an aperture 19 or a "C" shaped portion 19a that couples an elongate, rod-like connecting element 15 to the armature such that the connecting element 15 may then connect the diaphragm to the armature can provide opposing motion of the armature and diaphragm as required by the claims.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,


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